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OBLON, SPIVAK, MCCLELLAND MAIER & NEUSTADT, P.C. 1940 DUKE STREET ALEXANDRIA, VA 22314				
EXAMINER				
TOPGYAL, GELEK W				
ART UNIT		PAPER NUMBER		
2621				
NOTIFICATION DATE		DELIVERY MODE		
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Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary

Application No.

10/016,828

Applicant(s)

DAVID ET AL.

Examiner

GELEK TOPGYAL

Art Unit

2621

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 05 May 2009.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1, 3-36, 102, 103 and 133-142 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 141 and 142 is/are allowed.
- 6) ☒ Claim(s) 1, 3-36, 102, 103 and 133-140 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: _____

DETAILED ACTION

Response to Arguments

1. Applicant's arguments with respect to claims 1, 3-36, 102, 103 and 133-142 have been considered but are moot in view of the new ground(s) of rejection.

Claim Rejections - 35 USC § 103

2. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

3. **Claims 1, 3-6, 8, 15-17, 21, 23-26, 28-29, 31-36, 102-103, 133-134 and 141-142** are rejected under 35 U.S.C. 103(a) as being anticipated by Dorricott et al. (GB 2 312 078) in view of Patton et al. (US 6,408,301).

Regarding claim 1, Dorricott et al. teaches a video and/or audio signal processing system (Fig. 1) comprising:

a recorder (page 2, lines 21-25 teaches store manager 3 as controlling writing and reading to the store 1, VTRs 2 and other storage 21, where video and/or audio material are stored to the *archive workstation 7*) configured to record video and/or audio material on a recording medium, the recorder including:

a first generator configured to generate first material identifiers for identifying respective pieces of material on the medium such that each piece is differentiated from other pieces on the medium (Figs. 3-5 and page 3, lines 27-29 teaches that "information

identifying the content of pieces of video material, e.g. the name of the material" is generated for a piece of a stored material);

a second generator configured to generate second identifiers for pieces of material, the second identifiers being generated in accordance with the first material identifiers (Figs. 3-5 and page 3, lines 27 through page 4, line 12 teaches of a Unique Material Identification Code (UMID) for a piece of stored material having a title, which relates to the "name of the material" as discussed above) and a recording medium identifier for identifying the recording medium upon which the material is recorded (Figs. 3-5 and page 3, line 27 through page 4, line 12 teaches "e) data for locating the files where the material is stored; the medium e.g. the identity of a particular tape;"), and

a metadata generator (archive workstation 7) configured to generate semantic metadata (page 3, line 27 through page 4, line 12 teaches c) picture stamps, b) information identifying the shots in the material and scripts associated with the shots (page 7, lines 14-15)) describing an attribute of the material, wherein the semantic metadata is associated with the first identifier and the recording medium identifier (page 3, line 27 through page 4, line 12 teaches that the first material identifier (met by "a name for material"), the recording medium identifier (met by "data for locating the files where the material is stored") and c) picture stamps, b) information identifying the shots in the material and scripts associated with the shots (page 7, lines 14-15) (meeting claimed semantic data) are stored together in database 6).

However, Dorricott does not explicitly teach the claimed "wherein the recorder is configured to record the first material identifiers, the second identifiers, and the semantic metadata on the recording medium with the video and/or audio information.

Dorricott et al. teaches in Fig. 5 and page 7 that the database 5 and database 6 can be combined together and stored together in a single database, therefore the combination of data as stored in database 5 and database 6 is also possible. However there is no suggestion in Dorricott et al. to store the data in the databases 5 and 6 along with the audio and video material itself.

In an analogous art, Patton et al. teachings in col. 5, lines 6-7 and in col. 6, lines 60-67 suggests that the DVD disc 16 where the audio and video material is stored may also store the index (the index includes "general" metadata correlated to the audio and video material).

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the ability to combine similar correlated information together and record them onto a single medium as taught by Patton et al. into the system of Dorricott so that content retrieval of the correlated information is faster and more time efficient.

Regarding claim 3, Dorricott et al. teaches the claimed wherein a third identifier identifying the machine which initially produces the video and/or audio material is produced and the second generator associates the second identifiers with the medium identifier and the first identifiers and the third identifiers in combination (Figs. 3-5 and

page 3, line 27 through page 4, line 12 teaches "e) data for locating the files where the material is stored; the medium e.g. the identity of a particular tape;"),

Regarding claims 4, 133 and 134, Dorricott et al. teaches the claimed wherein the second identifiers are universally unique UMIDs (Page 3, lines 9-10 teaches that these UMIDs are universally unique).

Regarding claim 5, Dorricott et al. teaches the claimed wherein the first identifiers are recorded on the medium (Figs. 3-5 and page 3, line 27 through page 4, line 12 teaches the identifying data are stored in database 6).

Regarding claim 6, Dorricott et al. teaches the claimed wherein the first identifiers comprise material reference numbers (As discussed in claim 1 above, the material's name is recorded. The name is a reference to the material stored).

Regarding claim 8, Dorricott et al. teaches the claimed wherein the medium identifier is recorded on the medium (For the same reasons as discussed in claim 2 above. The medium identifier is stored in the database).

Regarding claim 15, Dorricott et al. teaches the claimed further comprising a database processor arranged to associate the second identifiers with at least the first identifiers or with the first identifiers and one or more of the medium identifiers and the third identifiers (Figs. 3-5 and page 3, line 27 through page 4, line 12 teaches that database 6 stores the combined information).

Claims 16, 23, 29, and 33-35 are rejected for the same reasons as discussed in claim 1 above. The rejection for claim 1 above, applies to the multitude of methods, systems, recorders, and reproducers as claimed.

Claim 17 is rejected for the same reasons as discussed in claim 8 above.

Regarding claim 21, Dorricott et al. teaches the claimed wherein the recorder is arranged to produce a machine identifier identifying the recorder and to record the machine identifier on the medium and/or in the data store (As discussed above in claim 16 (via claim 1) and claim 3, the machine identifier is stored).

Claim 24 and 25 are rejected for the same reasons as discussed in claim 3 above.

Claim 26 is rejected for the same reasons as discussed in claim 16 (via claim 1) above, and additionally, the system as disclosed by Dorricott et al. is capable of retrieval, manipulation and playback of the materials stored.

Claim 28 is rejected for the same reasons as discussed in claims 1 and 4 above; and additionally, the system as disclosed by Dorricott et al. is capable of retrieval, manipulation and playback of the materials stored.

Claims 31 and 32 are rejected for the same reasons as discussed above in the combination of claims 1 and 2.

Computer program product claims 36, 102 and 103 are rejected for the same reasons as discussed above in claims 33, 34 and 35, respectively. The system of Dorricott et al. is run on a computer (Fig. 1), which reads on the claimed "digital signal processor".

Regarding claim 141, the system of Dorricott in view of Patton teaches all the limitations as discussed in claim 1 above, and furthermore, the semantic metadata (including c) picture stamps, b) information identifying the shots in the material and

scripts associated with the shots) are recorded along with the EDL and UMID as discussed in page 3, line 27 through page 4, line 12. The EDL and UMID information follows a particular format (see Fig. 5) that has to inherently arrange the different types of metadata in a particular priority/category when recording the data into databases 5 and 6. Therefore, the limitations of claims 141 are met by the combination of Dorricott and Patton.

Claim 142 is rejected for the same reasons as discussed in claims 1 and 141 above, and furthermore, since the recordings of the metadata follows a particular order (as recorded in databases 5 and 6), the recordings have been prioritized according to how important they are, e.g., the EDL and the UMID are recorded first, which is the most important metadata necessary. The semantic metadata (picture stamps/information identifying the shots in the material) are recorded following the creation of the EDL and the UMID.

4. **Claim 7** is rejected under 35 U.S.C. 103(a) as being unpatentable over Dorricott et al. (GB 2 312 078) in view of Patton (US 6,408,301) and further in view of Wilkinson J. H. ("LINKING ESSENCE AND METADATA IN A SYSTEMS ENVIRONMENT").

Regarding claim 7, the proposed combination of Dorricott et al. and Patton teaches the limitations as discussed in claim 6 above, however fails to particularly teach wherein the first identifiers are recorded in the user bits of time codes.

In an analogous art, Wilkinson J. H. teaches in section 2.4 that material numbers defining a particular media clip is stored in the basic UMID. The basic UMID is stored as

a header to the media clips (Fig. 2), and therefore is stored in the user bits of time codes.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to store the first identifiers in the user bits of time codes as taught by Wilkinson J. H. to allow media materials or clips to be automatically identifying the materials or clips themselves. This aids in the archiving and furthermore the retrieval of clips when stored in a database.

5. **Claims 9-12, 18-20, 22, 27, 30 and 135-140** are rejected under 35 U.S.C. 103(a) as being unpatentable over Dorricott et al. (GB 2 312 078) in view of Patton (US 6,408,301).

Claims 9-12, 18-20, 22, 27 and 30 recite limitations that relate to a housing which contains the medium and supports a data store, additional to the medium capable of storing the following: the first identifier, third identifier (machine identifier), and the medium identifier. The proposed combination of Dorricott et al. and Patton teaches that all of the information is stored on the medium (As discussed above in claims 1-5, 16-17, 23-26, 29), however fails to teach a data store, additional to the medium that stores the same information. The examiner elects to take Official Notice.

It is well known and conventional in the art for a recording medium to have an additional storage medium supported by a housing, in addition to the recording medium itself, to record same identification information as that stored on the recording medium.

The additional storage medium acts as a backup storage identification information. This allows a user to identify a particular medium and what is stored on the

medium without having to actually read the medium. Also, in the case that identification information is lost on the recording medium, the additional storage medium allows for a backup copy to be available.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to incorporate the ability to incorporate an additional storage medium, in addition to the recording medium itself to decrease the time for effective media/material retrieval in a database by allowing a user to identify and preview information stored on the medium.

Claims 135-140 are rejected for the same reasons as discussed in claims 1 and 10-11 above.

6. **Claims 13 and 14** are rejected under 35 U.S.C. 103(a) as being unpatentable over Dorricott et al. (GB 2 312 078) in view of Patton (US 6,408,301).

Claims 13 and 14 recite limitations wherein the housing of the medium has a label writable with the medium identifier. The proposed combination of Dorricott et al. and Patton teaches that all of the information is stored on the medium (As discussed above in claims 1-5), however fails to teach wherein the housing has a label writable with the medium identifier. The examiner elects to take Official Notice.

It is well known and conventional in the art to be able to label a housing with a medium identifier.

It would have been obvious to one of ordinary skill in the art at the time the invention was made to label a housing with a medium identifier so that a user can improve

efficiency of retrieval of a particular medium within a database by being able to identify the medium without having to play the particular medium.

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to GELEK TOPGYAL whose telephone number is (571)272-8891. The examiner can normally be reached on 8:30am -5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thai Tran can be reached on 571-272-7382. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Gelek Topgyal/
Examiner, Art Unit 2621

/JAMIE JO VENT ATALA/
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